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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Lexington Insurance Company,

10 Plaintiff/
11 Counterdefendant,

12 v.

13 Scott Homes Multifamily Incorporated, et
14 al.,

15 Defendants/
Counterclaimants.

No. CV-12-02119-PHX-JAT

JUDGMENT

16 **IT IS ORDERED AND ADJUDGED AS FOLLOWS:**

17 This matter was tried and the jury rendered a verdict. (Doc. 463). At the time of
18 trial, Counts II, III, IV, V, VI, VII, VIII, IX, X, and XI of the Complaint (Doc. 1)
19 remained. (Doc. 323 at 49). At the time of trial, Count I of the Counterclaim (Doc. 10) as
20 to coverage remained. (Doc. 323 at 50). All other Counts contained in the Complaint and
21 Counterclaim were dismissed prior to trial. (Doc. 323 at 49–50, Doc. 405 at 2).

22 Based on the jury's verdict, the Court enters the following judgment on all
23 remaining Counts in the Complaint and Counterclaim in favor of
24 Defendants/Counterclaimants Silverbell 290 L.P. ("Silverbell") and Scott Homes
25 Multifamily, Inc. ("Scott Homes") and orders that Silverbell shall recover from
26 Plaintiff/Counterdefendant Lexington Insurance Company ("Lexington") in the amount
27 of \$3,410,000.01 dollars. The amount of this judgment shall be subject to prejudgment
28 interest at the rate of 10% per annum, beginning on March 5, 2013, calculated on the

1 daily average of the remaining principal balance after deducting each offset on the date of
2 payment, compounded annually until the date of this judgment. The amount of this
3 judgment shall be subject to post-judgment interest at the rate of 0.23% per annum.

4 Dated this 30th day of October, 2015.

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9 James A. Teilborg
10 Senior United States District Judge
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